| SOUTHERN DISTRICT OF NEW YORK   |                              |
|---|------------------------------|
| In re:  | Chapter 7                    |
| Orrin S. Anderson, aka Orinn Anderson, aka Orinn Scott Anderson               | Chapter /                    |
|   | Case No. 14-22147 (rdd)      |
| Debtor.   | Hon. Robert D. Drain         |
| X<br>In re:   |                              |
|   | Adv. Case No. 15-08214 (rdd) |
| Orrin S. Anderson, aka Orinn Anderson, aka Orinn Scott Anderson,              | Hon. Robert D. Drain         |
| Debtor and Plaintiff, on behalf of himself and all others similarly situated, |                              |
| v.  |                              |
| CREDIT ONE BANK, N.A.   |                              |
| Defendant.  |                              |
| X   |                              |

## MOTION TO SUBSTITUTE COUNSEL FOR DEFENDANT CREDIT ONE BANK, N.A.

Pursuant to Local Bankruptcy Rule 2090-1(e), Michael D. Slodov and James K. Schultz, of Sessions, Fishman, Nathan & Israel, L.L.C. ("Movants") hereby move this Court for an order substituting White & Case LLP as counsel of record for Defendant Credit One Bank, N.A. ("Credit One"), and further move the Court for entry of an order authorizing Movants to withdraw their appearances as counsel of record to Credit One and state as follows:

1. Defendant Credit One and Movants have agreed that Sessions, Fishman, Nathan & Israel, L.L.C. will and hereby do seek the Court's permission to withdraw as counsel for Credit One in this adversary proceeding.

15-08214-rdd Doc 90 Filed 10/12/16 Entered 10/12/16 13:35:40 Main Document Pa 2 of 3

2. Credit One has retained White & Case LLP to replace Sessions, Fishman, Nathan

& Israel, L.L.C. as counsel in this adversary proceeding.

3. Credit One has determined that its interests would be best served by the substitution

of counsel and does not believe that the substitution will materially delay these proceedings.

WHEREFORE, for good cause shown, Michael D. Slodov and James K. Schultz, of

Sessions, Fishman, Nathan & Israel, L.L.C. respectfully request that the Court enter an order,

substantially in the form annexed hereto, authorizing them to withdraw the appearance of counsel

of record in the above-captioned action, direct the Clerk to remove their names from all paper and

electronic service lists being utilized in this action, and further request that this Court enter an

order authorizing White & Case LLP to be substituted as counsel for Defendant Credit One, and

granting such further relief as the Court deems appropriate.

Dated: October 12, 2016

/s/ Michael D. Slodov

Sessions, Fishman, Nathan & Israel, LLC

15 E. Summit Street

Chagrin Falls, OH 44022-2709

(440) 318-1073

(fax) (216) 359-0049

(email) mslodov@sessions.legal

James K. Schultz

Sessions Fishman Nathan & Israel LLC

120 South LaSalle Street, Suite 1960

Chicago, IL 60603

Email: <u>ischultz@se</u>ssions.legal

Attorneys for Defendant,

Credit One Bank N.A.

2

## **CERTIFICATE OF SERVICE**

I certify that on October 12, 2016, I caused the foregoing document(s) (Motion to Substitute Counsel for Defendant Credit One Bank, N.A.) to be filed electronically with the Clerk of the Court using the CM/ECF System. Notice of this filing will be sent to the parties of record by operation of the Court's electronic filing system, including plaintiff's counsel as described below. Parties may access this filing through the Court's system.

Charles W. Juntikka
Charles Juntikka & Assoc., LLP
30 Vesey Street, Suite 100
New York, New York 10007
charles@cjalaw.com

George F. Carpinello
Adam R. Shaw
Jeffrey S. Shelly
Boies, Schiller & Flexner LLP
30 South Pearl Street
Albany, NY 12207
gcarpinello@bsfllp.com
ashaw@bsfllp.com
jshelly@bsfllp.com

Greg M. Zipes
Office of the United States Trustee
33 Whitehall Street
21st Floor
New York, NY 10004
greg.zipes@usdoj.gov

Jonathan M. Robbin Blank Rome LP 405 Lexington Avenue New York, NY 10174 jrobbin@blankrome.com

Date: October 12, 2016

/s/ Michael D. Slodov